



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Greene et al.

Application No.: 08/469,637

Confirmation No.: 6536

Filed: June 6, 1995

Art Unit: 1646

For: Human Tumor Necrosis Factor Receptor

Examiner: M. D. Pak

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT PURSUANT TO 37 § CFR 1.56

Mail Stop Issue Fee
Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, the Examiner's attention is hereby directed to references AF and AG listed on the attached Form PTO/SB/08A. A copy of each of reference(s) AF and AG is enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

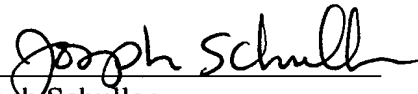
Pursuant to 37 C.F.R. § 1.97(d), although this Fifth Supplemental Information Disclosure Statement is being filed after the mailing date of a Notice of Allowance, the Patent and Trademark Office will consider the Fifth Supplemental Information Disclosure Statement if it is accompanied by a statement as specified in 37 C.F.R. § 1.97(d)(1) and the fee as specified in 37 C.F.R. 1.97(d)(2).

Accordingly, the undersigned certifies pursuant to 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Fifth Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Fifth Supplemental Information Disclosure Statement. In particular, the listed references were cited in an Office Action mailed March 2, 2004, in connection with a corresponding Japanese application. The required fee of \$180.00 is also transmitted herewith with the concurrently filed Fee Transmittal.

If any additional fees are deemed necessary, the Patent & Trademark Office is authorized to charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425.

Dated: March 11, 2004

Respectfully submitted,

By 
Joseph Schuller

Registration No.: 48,708
HUMAN GENOME SCIENCES, INC.
14200 Shady Grove Road
Rockville, Maryland 20850
(240) 314-4400, x2534

KKH/JS/mr



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	08/469,637; Conf. #6536
				Filing Date	June 6, 1995
				First Named Inventor	John M. Greene
				Art Unit	1646
				Examiner Name	M. D. Pak
Sheet	1	of	1	Attorney Docket Number	PF172P1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AF	HOHMANN, et al., "Two Different Cell Types Have Different Major Receptors for Human Tumor Necrosis Factor (TNF α)," <i>The Journal of Biological Chemistry</i> , 264(25):14927-14934 (1989)	
	AG	LOETSCHER, et al., "Molecular Cloning and Expression of the Human 55 kd Tumor Necrosis Factor Receptor," <i>Cell</i> , 61:351-359 (April 20, 1990)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Applicants: Greene *et al.*

Due Date: None

Art Unit: 1646

Examiner: M. Pak

Application No.: 08/469,637

Docket: 1488.0710001/EKS/KRM

Filed: June 6, 1995

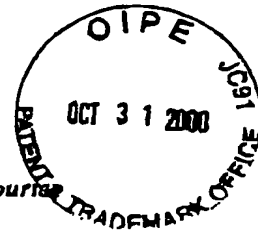
Att: KRM

For: Human Tumor Necrosis Factor Receptor

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. USPTO Transmittal Cover Letter (*in duplicate*);
2. PTO Transmittal Fee (Form PTO/SB/17) (*in duplicate*);
3. Third Supplemental Information Disclosure Statement and Statement Under 37 C.F.R. §1.97(e)(1);
4. Form PTO-1449 (2 sheets);
5. Three (3) References (AM1, AT19 and AR20);
6. Petition Under 37 C.F.R. §1.97(d);
7. Check No. 29298 for \$130.00 for Petition Under 37 C.F.R. §1.97(d); and
8. One return postcard.

Please Affix Date Stamp and Return Postcard to Our Courier





STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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WASHINGTON, D.C. 20005-3934

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NANCY J. LEITH**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

October 31, 2000

WRITER'S DIRECT NUMBER:

(202) 371-2637

INTERNET ADDRESS:

KAREN@SKGF.COM

Art Unit 1646

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 08/469,637; Filed: June 6, 1995
For: **Human Tumor Necrosis Factor Receptor**
Inventors: Greene *et al.*
Our Ref: 1488.0710001/EKS/KRM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
2. Third Supplemental Information Disclosure Statement and Statement Under 37 C.F.R. §1.97(e)(1) (*in duplicate*);
3. Form PTO-1449 (2 sheets);
4. Three (3) References (AM1, AT19 and AR20);
5. Petition Under 37 C.F.R. §1.97(d);
6. Check No. 29298 for \$130.00 for Petition Under 37 C.F.R. §1.97(d); and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 31, 2000
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

KRM:ayh
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Greene *et al.*

Appl. No. 08/469,637

Filed: June 6, 1995

For: **Human Tumor Necrosis Factor
Receptor**

Art Unit: 1646

Examiner: M. Pak

Atty. Docket: 1488.0710001/EKS/KRM

CLIENT COPY

Petition Under 37 C.F.R. § 1.97(d)

Commissioner for Patents
Washington, D.C. 20231

Attn: Group Director

Sir:

Applicants in the above-identified patent application hereby petition for consideration of the Third Supplemental Information Disclosure Statement submitted herewith, the documents cited on the accompanying PTO-1449, and the accompanying Statement under 37 C.F.R. § 1.97(e). The petition fee (37 C.F.R. § 1.17(i)) is provided in our accompanying Check No. 29298.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this petition is enclosed.

Respectfully submitted,

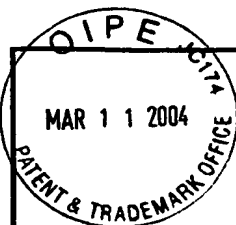
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz

Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

Date: 10/31/00

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number	08/469,637
Filing Date	June 6, 1995
First Named Inventor	Greene et al.
Examiner Name	M. Pak
Group Art Unit	1646
Attorney Docket No.	1488.0710001

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) _____

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____	X _____	= _____
Indep. Claims _____ - 3** = _____	X _____	= _____
Multiple Dependent _____	_____	= _____

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	208	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) _____

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify): _____

Other fee (specify): _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

CLIENT COPY

SUBMITTED BY

Name (Print/Type)	Karen R. Markowicz	Registration No. (Attorney/Agent)	36,351	Telephone	202-371-2600
Signature	Karen R. Markowicz			Date	10/31/00

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREENE *et al.*

Appl. No. 08/469,637

Filed: June 6, 1995

For: **Human Tumor Necrosis Factor
Receptor**

Art Unit: 1646

Examiner: M. Pak

Atty. Docket: 1488.0710001/EKS/KRM

CLIENT COPY

**Third Supplemental Information Disclosure Statement
and Statement Under 37 C.F.R. § 1.97(e)(1)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is submitted herewith. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on September 3, 1998 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is

further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

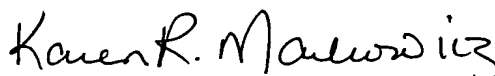
This Third Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith.

I hereby state that each item of information contained in this Third Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Third Supplemental Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

Date: 10/31/00

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

**CLIENT COPY**

Page 1 of 2

FORM PTO-1449

ATTY. DOCKET NO.
1488.0710001APPLICATION NO.
08/469,637APPLICANT
Greene *et al.*THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTFILING DATE
June 6, 1995GROUP
1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM1	EP 0 816 380	01/07/1998	Europe			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

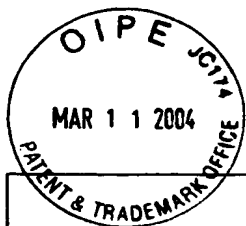
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	19	Kohno, T. <i>et al.</i> , "A second tumor necrosis factor receptor gene product can shed a naturally occurring tumor necrosis factor inhibitor," <i>Proc. Natl. Acad. Sci. USA</i> 87:8331-8335 (1990)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1488.0710001APPLICATION NO.
08/469,637APPLICANT
Greene *et al.*FILING DATE
June 6, 1995GROUP
1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	20	Schall, T.J. <i>et al.</i> , "Molecular Cloning and Expression of a Receptor for Human Tumor Necrosis Factor," <i>Cell</i> 61:361-370 (1990)
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.